

1  
2  
3  
4  
5  
6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9 CESAR CHICAS CARBALLO,

10                   Petitioner,

11                   v.

12 STATE OF WASHINGTON,

13                   Respondent.

14                   Case No. C24-5576-KKE-SKV

15                   ORDER ADOPTING REPORT AND  
16                   RECOMMENDATION AND  
17                   DISMISSING CASE WITHOUT  
18                   PREJUDICE

19                   The Court has reviewed the Report and Recommendation of the Honorable S. Kate  
20 Vaughan, United States Magistrate Judge, to which no objections were filed.<sup>1</sup> Considering the  
21 Report and Recommendation and the remaining record, the Court finds and ORDERS:

- 22                   (1)     The Court ADOPTS the Report and Recommendation. Dkt. No. 7.
- 23                   (2)     Petitioner's petition for writ of habeas corpus is DISMISSED without prejudice  
24 for failure to exhaust state court remedies.
- 25                   (3)     A certificate of appealability is DENIED. *See* 28 U.S.C. § 2253(c).

26                   

---

<sup>1</sup> A copy of the Report and Recommendation was sent to Petitioner but was returned as undeliverable. Dkt. No. 8.  
27 "A party proceeding pro se shall keep the court and opposing parties advised as to his or her current mailing address[.]"  
28 Local Rules W.D. Wash. LCR 41(b), *see also* LCR 10(f).

1                     (4) The Clerk is directed to send copies of this Order to the parties and to Judge  
2 Vaughan.  
3

4                     Dated this 5th day of November, 2024.

5                       
6

7                     

---

  
8                     Kymberly K. Evanson  
9                     United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23